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17 **UNITED STATES DISTRICT COURT**  
18 **DISTRICT OF NEVADA**

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20 UNION PACIFIC RAILROAD COMPANY, Case No. 3:17-cv-00477-LRH-CBC  
a Delaware corporation,

21 Plaintiff,

22 v.

23 WINECUP GAMBLE, INC., a Nevada  
24 corporation; DOES 1-5, DOE Entities 1-5.

25 Defendants.  
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**ORDER FOR  
EXTENSION OF DEADLINES TO FILE  
RESPONSE TO DEFENDANT'S MOTION  
FOR ATTORNEY'S FEES, OF DEADLINES  
FOR REPLY THERETO AND EXTENSION  
OF DEADLINE TO RESPOND TO  
PLAINTIFF'S MOTION AND  
MEMORANDA FOR JUDGMENT AS A  
MATTER OF LAW, OR,  
ALTERNATIVELY, A NEW TRIAL, AND  
REPLY THERETO.**

**[FIRST AND SECOND REQUESTS]**

1 IT IS HEREBY STIPULATED by and between the parties hereto and their respective  
2 counsel that the deadline for Plaintiff to file its Response to Defendant's Motion for Attorneys'  
3 Fees and Related Nontaxable Expenses (ECF No. 285) ("Response") is further extended by one  
4 week until November 11, 2022, in the above-entitled matter. If extended, Defendant shall then  
5 have until December 2, 2022 to file its Reply. This is the second stipulation for an extension of  
6 time to file the Response, which deadline was previously extended by one-week. This request is  
7 being made to enable counsel, including local counsel, to thoroughly review and consider the trial  
8 record in this matter which is necessary to portions of the intended Response. The official trial  
9 transcript is presently unavailable despite the concerted efforts of the court reporter, who reports  
10 experiencing back-to-back trials and working evenings toward the official trial transcript. Counsel  
11 are hopeful that the additional time will allow for preparation of the official trial record to which  
12 the parties may reliably cite for purposes of the post-trial briefing. This request is made in good  
13 faith and in the spirit of continuing cooperation among the parties and counsel, and not for purposes  
14 of delay.

15 IT IS FURTHER HEREBY STIPULATED that, due to the present unavailability of the  
16 official trial transcript and Plaintiff's expressed intention to update its Motion and Memoranda for  
17 Judgment as a Matter of Law Alternatively, a New Trial to include citations to the trial transcript,  
18 Defendant shall have until the later date of (i) December 2, 2022 or (ii) 14 days after Plaintiff files  
19 its updated Motion, to file its Response to Plaintiff's updated Motion. That Response is currently  
20 due on November 11, 2022. Upon Defendant receiving this extension, Plaintiff shall have until the  
21 latter of (i) December 12, 2022 or (ii) ten days after Defendant files its Response, in order to file a  
22 Reply. This is the first stipulation for an extension of time by either party relative to Plaintiff's  
23 Motion. This request is being made both to facilitate the extension sought by Plaintiff above, to  
24 fairly adjust the briefing schedule accordingly and in consideration of the Thanksgiving holiday,  
25 and to allow more time for the completion and preparation of the official trial transcript. The trial  
26 transcript is integral to Plaintiff's Motion and to Defendant's Response. This request is made in  
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1 good faith and in the spirit of continuing cooperation among the Parties and not for purposes of  
2 delay.

3 IT IS FURTHER STIPULATED that if the trial transcript is delayed beyond November 18,  
4 2022, a further extension of the dates may be needed and sought by the parties.

5 DATED: November 3, 2022.

DATED: November 3, 2022.

6   
7 PARSONS BEHLE & LATIMER

/s/ Michael R. Menssen

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*Attorneys for Defendant Winecup Gamble, Inc.  
and for Defendant Paul Fireman*

21 *Attorneys for Plaintiff*  
22 *Union Pacific Railroad Company*

23 IT IS SO ORDERED.

24 DATED: November 7, 2022

25   
26 UNITED STATES DISTRICT JUDGE